



**Cal-EPA**



**State Treasurer  
Phil Angelides**



**Assemblymember  
Fran Pavley**

**FOR IMMEDIATE RELEASE  
April 8, 2004**

**Contacts:**

<b>Mitchel Benson (CA Treasurer's Office):</b>	<b>(916) 653-4052</b>
<b>Susan Little (Assm. Pavley's Office):</b>	<b>(916) 319-2346</b>
<b>Michele St. Martin (Cal-EPA):</b>	<b>(916) 324-9670</b>

**CALIFORNIA TREASURER ANGELIDES, ASSEMBLYMEMBER PAVLEY, CAL-EPA  
SECRETARY TAMMINEN, JOIN OTHER STATE OFFICIALS AND  
ENVIRONMENTALISTS TO ANNOUNCE LEGISLATION TO OPEN CALIFORNIA'S CAR  
POOL LANES TO FUEL-EFFICIENT, HYBRID VEHICLES**

*Measure Would Help Reduce Air Pollution and Greenhouse Gas Emissions,  
and Boost State's and Nation's Energy Independence*

LOS ANGELES – Joined by prominent environmental leaders, California State Treasurer Phil Angelides, Assemblymember Fran Pavley and California Environmental Protection Agency (Cal-EPA) Secretary Terry Tamminen today announced legislation to help clear California's air, boost the State's energy independence and cut greenhouse gas emissions by opening California's car pool lanes to fuel-efficient hybrid electric vehicles.

The legislation, AB 2628 – sponsored by Treasurer Angelides, Cal-EPA and the California Air Resources Board, and authored by Assemblymember Pavley (D-Agoura Hills) – would allow hybrid electric vehicles, or HEVs, that meet tough emissions and fuel efficiency standards access to California's high occupancy vehicle (HOV) lanes, or diamond lanes, regardless of the number of people in the vehicle. The legislation would take full advantage of the available capacity in the State's HOV lanes while encouraging California motorists to use less fuel.

Under AB 2628, the hybrid electric vehicles that would be allowed access to HOV lanes would include those that meet California's strictest advanced technology-partial zero emission vehicle (AT-PZEV) standards and achieve 45 miles per gallon or higher. In addition, an estimated 20,000 pre-2005 gas-electric hybrid vehicles that meet less stringent emissions criteria but also have a 45 miles per gallon or higher rating would be allowed onto HOV lanes. Under the legislation, the hybrid vehicles that would be eligible today for HOV access would include the Honda Insight, Honda Civic Hybrid and Toyota Prius. As new hybrid vehicles are developed, they too will become eligible for HOV access if they meet the strictest AT-PZEV emissions and fuel efficiency standards.

The state legislation would take effect only after the federal government acts to approve the use of HOV lanes by hybrid vehicles. Federal authorizing legislation is now included in the pending surface transportation funding bill. (Federal approval is required because federal funds are used in the construction of HOV lanes.)

Californians today breathe the most polluted air in the country and drive many of the most congested highways in the country. Motor vehicles are a substantial contributor to both problems and will remain so for the foreseeable future. Hybrid electric vehicles rely on advanced technology similar to that of battery and hydrogen fuel cell vehicles, offering a transition to a truly zero emissions future.

The Treasurer, Assemblymember Pavley and Cal-EPA Secretary Tamminen, speaking at a press conference here at the Skirball Cultural Center, agreed that seeing more hybrid electric vehicles on the road – zipping by in the carpool lane – will be a big step toward increasing the public's awareness and acceptance of cleaner, advanced technology vehicles.

"Opening up the State's HOV lanes to hybrid vehicles is a smart solution that will help clear the air and reduce our dependence on polluting fuels, and save motorists time and dollars," Angelides said. "And it comes at an especially important time, as gasoline prices are skyrocketing and the need is growing to encourage clean and environmentally sound technologies."

Angelides and Caltrans first teamed up in October 2003 to propose that any vehicle meeting the AT-PZEV emission requirements and rated at 45 miles per gallon or better be allowed on every HOV lane in the State regardless of vehicle occupancy.

"This is a 'WIN-WIN-WIN' – cleaning up our air, reducing dependence on foreign oil and saving money at the pump!" said Pavley, who had introduced a similar measure in 2001. The Assemblymember pointed out that her 2002 legislation, AB 1493, requires car manufacturers to lower greenhouse gas emissions in passenger vehicles and light duty trucks. "Now," she said, "AB 2628 will provide incentives for new technologies and alternative fuel vehicles to help accomplish this goal."

Tamminen agreed. "How can we declare our independence from foreign oil, rising fuel prices, and bad air? Buy a hybrid!"

Joining Angelides, Pavley and Tamminen at today's news conference were NRDC (Natural Resources Defense Council) Trustee Laurie David, officials with the California Air Resources Board and representatives of hybrid vehicle owners clubs.

"Opening diamond lanes to hybrids is a small but sweet reward for an intelligent choice," David said. "Diamonds can now be a hybrid's best friend."

There are currently 1,112 miles of high occupancy vehicle (HOV) lanes in California, with another 1,045 proposed to be completed through 2030. Currently, access to HOV lanes in California is restricted to: vehicles carrying at least two, and in some cases three people; zero emission and "inherently low emission vehicles" (electric and compressed natural gas vehicles); two-seater vehicles carrying two passengers; transit vehicles; and motorcycles.

Under AB 2628, vehicles that are newly eligible for access to HOV lanes will be affixed with “Clean Air Vehicle” decals similar to those currently available for electric and compressed natural gas vehicles. If enacted, the legislation would be in effect until January 1, 2008. The legislation would limit to 75,000 the number of decals available to eligible hybrid electric vehicles, an amount considered sufficient to handle the growth of such vehicles in California. The legislation also provides other assurances that traffic in HOV lanes will continue to flow smoothly.

The Assembly Transportation Committee is scheduled to hear AB 2628 on April 12.

**NOTE: For more information about today’s announcement, including a fact sheet on AB 2628 and letters of legislative support from Cal-EPA and the NRDC, please visit the Treasurer’s web site at [www.treasurer.ca.gov](http://www.treasurer.ca.gov).**

**OFFICE OF THE TREASURER**

P. O. BOX 942809  
SACRAMENTO, CA 94209-0001

**HYBRIDS IN THE *FAST LANE!*****AB 2628  
(Pavley)****FACT SHEET****SUMMARY**

AB 2628, sponsored by California State Treasurer Phil Angelides, the California Environmental Protection Agency and the California Air Resources Board, and authored by Assemblymember Fran Pavley (D-Agoura Hills), will allow hybrid vehicles that meet tough emissions and fuel efficiency standards access to California's high occupancy vehicle (HOV) lanes. This legislation will utilize the available capacity of the State's highways while encouraging California motorists to use less fuel, cutting down on the amount of air pollution generated by vehicles.

Hybrid vehicles meeting California's advanced technology-partial zero emission vehicle (AT-PZEV) standards and achieving 45 miles per gallon or higher will be allowed access to HOV lanes, regardless of the number of occupants. Also allowed access will be an estimated 20,000 pre-2005 gas-electric hybrid vehicles that meet less strict emission standards but also have a 45 miles per gallon or higher rating. The program would take affect only after the federal government acts to approve the use of HOV lanes by hybrid vehicles.

Currently, access to HOV lanes is restricted to: vehicles carrying at least two, and in some cases three people; zero-emission vehicles (AB 71 (1999), Cunneen); vehicles with only two seats carrying two passengers; transit vehicles; and motorcycles.

**OBJECTIVES**

The objective of this initiative is to utilize the available capacity of the State Highway System without jeopardizing the capacity of the HOV system. Specifically, AB 2628 will:

- Open HOV lanes to hybrid vehicles meeting California's strictest advanced technology - partial zero emission vehicle (AT-PZEV) standards and achieving 45 miles per gallon or higher.
- Also open HOV lanes to pre-2005 gas-electric hybrid vehicles that meet California's ultra-low (ULEV), super ultra-low (SULEV), or partial zero-emission vehicles (PZEV) and have a 45 miles per gallon or higher rating will be grandfathered into this program. (There are approximately 20,000 such existing gas-electric hybrids in the State.)
- Provide an identifying sticker for eligible vehicles, required by the Department of Motor Vehicles (DMV) using the AB 71 process.
- Create incentives for consumers to consider the purchase of hybrid technology vehicles.
- Encourage California motorists to use less fuel.
- Reduce pollution created by automobiles.
- Protect the integrity of the existing HOV lane system.

## **BACKGROUND**

In October 2003, State Treasurer Phil Angelides and the California Department of Transportation (Caltrans) launched an initiative proposing that any vehicle meeting the AT-PZEV emission requirements and rated at 45 mpg or better be allowed on every HOV lane in the State regardless of occupancy.

There are currently 1,112 miles of high occupancy vehicle (HOV) lanes in California, with another 1,045 proposed to be completed through 2030. HOV lanes are a tool to help address growing traffic and congestion through more efficient use of infrastructure.

The plan strikes a sensible balance between the need for greater efficiency of the transportation system and the ongoing need to improve air quality and reduce fuel consumption. Data and projections from Caltrans, auto manufacturers, the California Air Resources Board, and others indicate that HOV lanes will continue to function smoothly with the addition of these vehicles. That means that Californians could improve air quality as a result of this program and reduce petroleum consumption while maintaining the integrity of the existing HOV lane system.

Stickers noting HOV lane eligibility will be made available for qualifying vehicles and will assist in the enforcement of HOV restrictions. Because federal funds have been used in constructing the HOV lanes, the federal government must approve the expanded use of the lanes.

The legislation limits to 75,000 the number of decals available to eligible hybrid electric vehicles, an amount considered sufficient to handle the growth of such vehicles in California. The legislation also provides other assurances that traffic in HOV lanes will continue to flow smoothly. The legislation would be in effect until January 1, 2008.

## **DEFINITIONS**

- AT-PZEV (Advanced Technology-partial zero emission vehicles) – the CLEANEST vehicle. This includes many gasoline-electric hybrid vehicles and natural gas vehicles.
- PZEV (Partial zero emission vehicles) – CLEANER vehicles.
- SULEV (Super ultra low emission vehicles) – CLEAN vehicles.
- ULEV (Ultra low emission vehicles) – BETTER THAN AVERAGE vehicles.

For additional information please contact Mitchel Benson, Communications Director, who may be reached at (916) 653-4052.



April 5, 2004

Assemblymember Jenny Oropeza, Chair  
Assembly Committee on Transportation  
State Capitol  
Sacramento, CA 95814

**RE: AB 2628 (Pavley) Hybrid Vehicles - Support**

Dear Chairwoman Oropeza and Members of the Committee:

We write on behalf of the over 550,000 members of NRDC (the Natural Resources Defense Council), nearly 120,000 of whom are Californians to support AB 2628, authored by Assemblymember Pavley and sponsored by Governor Arnold Schwarzenegger and State Treasurer Phil Angelides. AB 2628 is designed to provide an incentive for drivers to buy hybrid vehicles by allowing single occupant hybrids initial access to High Occupancy Vehicle (HOV) lanes.

Hybrid vehicle technology offers a bridge away from California's increasing dependency on foreign oil. Between now and 2020, the number of vehicles on California's roads will grow by nearly a third. And if current trends continue, on average they will be bigger and less fuel-efficient. Our air quality is suffering: Southern California smog levels last year were the worst in five years. More vehicles mean more air pollution - causing eye, ear, nose and bronchial irritation, asthma and respiratory disease.

Our State's HOV lanes were opened to counter pollution and sprawl, by offering an incentive to drivers to reduce their impact on our air quality and our consumption of fossil fuels. Assuming that appropriate safeguards are in place to ensure that the goals of the HOV lanes are maintained, CALTRANS analysis reveals that the lanes can handle the introduction of hybrids without reducing the important incentive these lanes offer to carpool. Extending the privilege of carpool lane use to hybrids that meet the cleanest and most fuel-efficient standards would boost efforts to fight smog and curtail gas consumption as the fuel-efficient hybrids that AB 2628 would allow use about half the gasoline of the average car, and release far fewer smog-forming pollutants. And while these low-emission, fuel-efficient vehicles are increasing in popularity, today they remain just a fraction of the new cars purchased in the State. Providing incentives for drivers to purchase hybrids could spur automakers to make them more affordable and more widely available. We commit to working with Assemblymember Pavley, the bill's sponsors and the legislature as this bill moves forward to address issues that may arise. NRDC urges an "aye" vote on AB 2628 which will help clear our air, reduce

gasoline consumption, and provide a meaningful incentive for those drivers who choose fuel-efficient vehicles.

Sincerely,



Laurie David  
NRDC Trustee



Ann Notthoff  
California Advocacy Director



Roland Hwang  
Senior Scientist

Cc: Governor Arnold Schwarzenegger  
Treasurer Phil Angelides  
Secretary Terry Tamminen  
Assemblymember Fran Pavley



Terry Tamminen  
Agency Secretary

# California Environmental Protection Agency

Air Resources Board • Department of Pesticide Regulation • Department of Toxic Substances Control  
Integrated Waste Management Board • Office of Environmental Health Hazard Assessment  
State Water Resources Control Board • Regional Water Quality Control Boards



Arnold Schwarzenegger  
Governor

April 6, 2004

The Honorable Jenny Oropeza  
Chair, Assembly Transportation Committee  
California State Assembly  
State Capitol, Room 6026  
Sacramento, California 95814

**RE: AB 2628 as Amended 4/01/04—SUPPORT**

Dear Assembly Member Oropeza:

We are writing to urge your support for AB 2628 (Pavley) that is set for hearing April 12, 2004, in the Assembly Transportation Committee. The Administration is sponsoring this bill along with the State Treasurer's Office. This bill would authorize the cleanest, most fuel-efficient hybrid-electric vehicles (HEV) to use carpool or high occupancy vehicle (HOV) lanes without meeting the minimum occupancy requirement.

One of the primary goals in the Governor's *Action Plan for California's Environment* is to cut air pollution statewide by up to 50 percent and restore independence from foreign oil. AB 2628 offers an important incentive to accelerate purchases of fuel-efficient HEVs that use the same advanced technology components as battery and hydrogen fuel cell vehicles. HEVs currently on the road meet some of the cleanest motor vehicle standards, are very fuel-efficient, and produce fewer greenhouse gas emissions than comparable conventional vehicles.

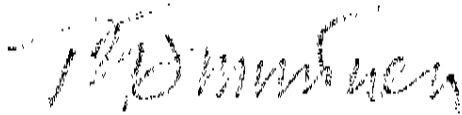
To ensure that this incentive does not adversely impact HOV lanes, the number of hybrids that will benefit from this incentive has been limited to 75,000 vehicles. The California Department of Transportation may remove access to HOV lanes for hybrids if the lanes become too congested. Finally, this bill will sunset on January 1, 2008.



The Honorable Jenny Oropeza  
April 6, 2004  
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This bill is an important bi-partisan measure that could result in cleaner air, reduced energy dependence, and greenhouse gas reduction. This bill will also help build public acceptance of HEVs. I respectfully request your "aye" vote on this important bill.

Sincerely,

A handwritten signature in dark ink, appearing to read "Terry Tamminen", written in a cursive style.

Terry Tamminen  
Agency Secretary

Attachment

cc: Assembly Transportation Committee Members: Guy Houston (Vice Chair),  
Patricia Bates, John J. Benoit, Wilma Chan, Christine Kehoe, Jay La Suer,  
Carol Liu, John Longville, Dennis Mountjoy, Nicole Parra, Fran Pavley,  
Simon Salinas, S. Joseph Simitian

Terry Miller  
Assembly Republican Policy

Howard Posner  
Assembly Democratic Consultant

Alan C. Lloyd, Ph.D.  
Air Resources Board

Catherine Witherspoon  
Air Resources Board

Rob Oglesby  
Air Resources Board